1944

File No. Firewood Trade II/44

Legal Department

B **BRANCH**

Subject:– Regulations and Notifications under the Bombay Firewood Trade Licensing order, 1944

E

page-3

1 to 15

CONTENTS.

Legal Department File No. Firewood Trade II/44.

Sr. No.	R.I./O.No.	Subject	page.
I.		Bom. Firewood Trade Licensing Order, 1944.	
1.	U.R. to F.D.(supply) No.5099, dt.19/7/44	Cl. 3, Cl.18. Notification under -	1-5.
2.	U.R. to F.D.(supply) No.7492, Dt.31.10.44.	Draft Notfn.	3-6 not typed 7-8.
3.	U.R. to F.D.(supply) No.9147, dt. 30.12.44.	Cl.3. Notification under -	9-11.

S.I./13.7.56. 5a.

The draft Order (at pages 121-128 ante) as amended is in order. The following remarks are made:-

(1) the definition of "Depot" has been shifted as clause 2(i) in alphabetical order.

(ii)The portion bracketted in clause 2(ii) does not fit in with the definition of firewood dealer, the provisions should come more appropriately in clause 7 dealing with the issue of licenses. Clause 7 has accordingly been amended by the insertion of new sub- clause (2) and new proviso to sub-clause (3).

(iii) The expression "for the purpose of resale" in clause 2(iii) and (iv) is deleted. If it is retained, it would have the effect of permitting firewood production and import for the purpose of retail sale without a licence. This is presumably not intended.

(iv) Clauses 4, 5 and 6 of the Order have been revised (on the lines of clause 4,5 and 6 of the Bombay Charcoal Trade Licensing Order, 1944) in order to achieve the object of draft notification VI at page 135 ante.

(v) Clause 7: Under revised sub-clause (3) of clause 7 of the draft Order (page 122) no firewood dealers' license shall be granted to any person who in the opinion of the licensing authority has not been carrying on business as firewood dealer continuously throughout the year 1942. In his application for a license under the Order the firewood dealer has to state the approximate quantity of firewood sold during the year 1943 (see item 7 in Form B annexed to the draft Order). It would, therefore, appear that the intention is to grant the firewood dealers' license to a person who has been carrying on business as a firewood dealer continuously throughout the

year.....

year 1943 and not 1942. If so, the year '1943' may be substituted for the year '1942' in revised sub-clause (3) of clause 7 of the draft Order.

(vi) Clause 14 (2) has been slightly revised.

(vii) Form A: Entry No.5 has been added in the Form of application for firewood importer's license.

(viii) Form B: Entry No.5 has been added in the Form of application for firewood dealer's licence.

(ix) Form D: Condition 7 of Form D is on the lines of condition 9 of Form E as revised. Condition 9 as revised is restricted to cancellation, since the Order deals with the licencee's business and not with his purchase of firewood from persons (as consumer or otherwise) whether in Bombay or outside.

(x) Condition 3 in Form F is amended on the basis that at each depot the accounts pertaining to that depot only are to be maintained. It is not clear how else the license would be worked or checking done.

(xi) The Press Note at page 129 ante, as formally amended is in order.

(xii) Draft notifications II to V and VII to IX, as amended, are in order. In view of clause 1(ii) of the Order, draft notification I at page 130 is in apt and unnecessary. The object of the draft notification VI at page 135 is achieved by the amendments made in clauses 4, 5 and 6 of the Order.

Id/- P.N.M.
18/7/44.

Remembrancer of Legal Affairs.

U.R. to F.D. (supply), No.5099, dated the 19th July 1944.

S.I./13.7.56. 4c.

A revised draft in place of draft notification II at page 216 is sent herewith.

2. Draft Notification IV at page 218: Clause 17 of the Bombay Firewood Trade Licensing Order, 1944, merely provides that any officer or authority empowered by or in pursuance of that Order to exercise any power may do certain things for the effective exercise of that power. It does not require any notification. The notification should be issued only under clause 18. Clause 18 requires the officers to be authorised in respect of any area. A revised draft notification in place of the draft notification IV is sent herewith.

3. The other draft notifications, namely, I, III, V, and VII at pages 215-220, as formally amended, are in order.

4. There is no objection to insert the word "Importer" in the proviso to revised clause 8(2) of the Order, as suggested by F. D.(supply). The words "or Wholesalers" in the revised clause 8(3) of the Order appear to have been left out through a typing mistake. This has been now inserted.

Id/-

For Remembrancer of Legal Affairs.

U.R. to F.D.(supply), No.7492, dated the 31st October 1944.

S.I./13.7.56. 4c.